

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29675 of 2015

Arising Out of PS.Case No. -1304 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Gopal Mahto, son of Late Vyas Mahto, Resident of Mohalla- Bhartiganj,
P.S. Sasaram, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar Singh S/o Shankar Dayal Singh R/o vill- Doriyaon, P.S.-
Sheosagar, At present- Moh- Company Sarai, Rauja Road No.1 P.s.-
Sasaram (Model) Distt- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 10-08-2015

Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under sections 420 and 406 of the Indian Penal Code and section 138 of the N.I. Act.

The complainant alleged that the petitioner took Rs.3,84,000/- but he refunded Rs.1,60,000/- only and for the rest amount he issued a cheque but the same was dishonoured. It appears that the petitioner was granted provisional bail vide order dated 18.02.2014 by the learned Sessions Judge, Rohtas on an undertaking that the petitioner would pay the remaining amount but the petitioner could not make payment and subsequently, the

provisional bail of the petitioner was cancelled vide order dated 02.07.2014. The petitioner is in jail for more than nine months.

Learned counsel for the complainant, however, vehemently opposed the prayer for bail of the petitioner.

Considering the fact that due to non-payment of the dues and dishonouring of the cheque the petitioner has already remained in jail for more than nine months, let the petitioner above named be directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 1304 of 2012.

Amin/-

(Prabhat Kumar Jha, J)

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